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Notice of Allowability	Application No.	Applicant(s)	
	09/988,768	OYAMA, TOSHIRO	
	Examiner	Art Unit	
	Adrienne C. Johnstone	1733	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to interview on 09 February 2004 and the amendment filed 04 November 2003.
2. ☒ The allowed claim(s) is/are 1, 4, and 7 (new claims 1-3).
3. ☒ The drawings filed on 04 November 2003 are accepted by the Examiner.
4. ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☒ All b) ☐ Some* c) ☐ None of the:
 1. ☒ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.
THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

5. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
 6. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
 - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
7. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

- | | |
|---|--|
| 1. <input type="checkbox"/> Notice of References Cited (PTO-892) | 5. <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 2. <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 6. <input checked="" type="checkbox"/> Interview Summary (PTO-413),
Paper No./Mail Date <u>020904</u> |
| 3. <input type="checkbox"/> Information Disclosure Statements (PTO-1449 or PTO/SB/08),
Paper No./Mail Date _____ | 7. <input checked="" type="checkbox"/> Examiner's Amendment/Comment |
| 4. <input type="checkbox"/> Examiner's Comment Regarding Requirement for Deposit
of Biological Material | 8. <input checked="" type="checkbox"/> Examiner's Statement of Reasons for Allowance |
| | 9. <input type="checkbox"/> Other _____ |

Adrienne C. Johnstone
Primary Examiner
Art Unit: 1733

Examiner's Amendment

1. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Carl Schaukowitch on February 9, 2004.

The application has been amended as follows:

In the claims

claim 1 line 8, to correct a claim rewriting error " $0.8V = v = 1.2V$ " has been changed back to -
- $0.8V \leq v \leq 1.2V$ -- ;

claim 2 has been cancelled (now redundant);

claim 3 has been cancelled (now contradicts claim 1);

claim 4 line 8, to correct a claim rewriting error " $0.8W = w = 1.2W$ " has been changed back
to -- $0.8W \leq w \leq 1.2W$ -- ;

claim 5 has been cancelled (now redundant);

claim 6 has been cancelled (now contradicts claim 4);

claim 7 has been rewritten to correctly define the volume ratio and to provide proper
antecedent basis as --

7. (Currently Amended) [Indicia formed on a] A pneumatic tire having a sidewall
portion defining a sidewall surface and formed with a carcass layer bridged between a pair of
bead portions, the sidewall surface being provided with indicia, the indicia comprising:

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a plurality of convex marks projecting outwardly from the sidewall surface to occupy a volume V above the sidewall surface, each one of the plurality of convex marks having a shape resembling at least one of a letter, a numeral, a symbol and an emblem; and

a concave region extending into the sidewall portion thereby displacing a volume v of the sidewall portion and surrounding the plurality of convex marks, wherein a ratio of the volume v of the concave region to the volume V of said plurality of convex marks is set as:

$$[0.8V \leq v \leq 1.2V] \quad 0.8V \leq v \leq 1.2V.$$

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Reasons for Allowance

2. The following is an examiner's statement of reasons for allowance: As to claim 1, the prior art of record fails to disclose or suggest applicant's tire, including the particular convex mark with volume V and the particular concave portion with volume v adjoining one of an entire inner periphery of the convex mark, an entire outer periphery of the convex mark, and partially the inner periphery and partially the outer periphery of the convex mark such that the concave portion resembles the shape of the convex mark, wherein $0.8V \leq v \leq 1.2V$, in the claimed environment. As to claim 4, the prior art of record fails to disclose or suggest applicant's tire, including the particular concave mark with volume W and the particular convex portion with volume w adjoining one of an entire inner periphery of the concave mark, an entire outer periphery of the concave mark, and partially the inner periphery and partially the outer periphery of the concave mark such that the convex portion resembles the shape of the concave mark, wherein $0.8W \leq w \leq 1.2W$, in the claimed environment. As to claim 7, the prior art of record fails to disclose or suggest applicant's tire, including the particular plurality of convex marks with volume V and the particular concave region with volume v surrounding the plurality of convex marks, wherein $0.8V \leq v \leq 1.2V$, in the claimed environment.

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Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Conclusion

3. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Adrienne C. Johnstone whose telephone number is (571)272-1218. The examiner can normally be reached on Monday-Friday, 10:30AM-7:00PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Richard Crispino can be reached on (571)272-1226. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Adrienne C. Johnstone
Primary Examiner
Art Unit 1733

Adrienne Johnstone

February 9, 2004

